

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed May 6, 2005. Claims 1-23 were pending in the Application. In the Office Action, Claims 1-23 were rejected. Claims 1-23 remain pending in the Application. Applicant respectfully requests reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

SECTION 102 REJECTIONS

Claims 1-23 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication No. 2003/0080994 issued to Yepishin et al. (hereinafter “*Yepishin*”). Applicant respectfully traverses this rejection.

The Examiner appears to maintain the above-referenced rejection from the Office Action mailed on November 26, 2004. In Applicant’s response to the Office Action mailed November 26, 2004, Applicant indicated that *Yepishin* does not qualify as prior art under 35 U.S.C. § 102(e) and, therefore, no *prima facie* rejection had been made. In support thereof, Applicant submitted the Declaration of Peggy T. Oyama under 37 C.F.R. § 1.131, the exhibit of which evidences the conception of Applicant’s invention prior to August 28, 2001, the effective date of *Yepishin*. Based on the “Response to Remarks” portion of the present Office Action, the Examiner appears to have mistakenly overlooked at least a portion of Applicant’s response filed on February 16, 2005, regarding the *Yepishin* reference. Applicant respectfully repeats Applicant’s previous remarks and maintains that *Yepishin* does not qualify as prior art under 35 U.S.C. § 102(e) and, therefore, Applicant respectfully submits that the rejection of Claims 1-23 is improper and should be withdrawn. For the convenience of the Examiner, a copy of the above-referenced Declaration filed on February 16, 2005, is submitted herewith.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

No fee is believed due with this Response. If, however, Applicant has overlooked the need for any fee due with this Response, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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